



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
MONDAY, JUNE 28, 2010**

Roll Call: Todd Bergstrom
Don Nicolard
Brenda Hlas
Bill Mowery
Ken Braman
Scott Pelot
Mike Zita-Acting Mayor

Also Present:
Mayor David Koontz-Absent
Rick Ryland-Absent
John Moss
Pete Kostoff
Karla Richards
Ann Campbell

The Regular Council Meeting convened on Monday, June 28, 2010 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, Vice President of Council, followed by the Pledge of Allegiance and a moment of silent prayer. Mr. Pelot stated that Mr. Zita was the Acting Mayor for the evening.

COMMITTEE OF THE WHOLE:

Mr. Bergstrom moved to add Ord #80-2010 related to the Greenwich Road sanitary sewer lines to tonight's agenda, seconded by Mr. Braman.

Roll Call: Yeas: Bergstrom, Braman, Nicolard, Hlas, Mowery, Pelot
Nays: None

Motion passed 6-0.

Mr. Mowery stated that during his visit along Parkway Blvd., he had one complaint about the condition of the roadway and how it has deteriorated so badly it looks like a land mine in some areas, and weeds are really bad in some of these areas. Mr. Mowery indicated there is a letter being drafted for that. Mr. Mowery indicated there was a resident from this area that came to city hall and she is working on getting a meeting set up with the residents to get their input about the engineering that is proposed on Parkway.

COMMUNICATIONS FROM THE PUBLIC:

Mr. Don Cunningham, a Norton resident, spoke on the proposed rezoning and that he just met with the applicant, Mr. Freeman prior to the meeting tonight. Mr. Cunningham stated he has learned that a privacy fence would be installed along the property, which was one of his initial concerns. Mr. Cunningham stated that the corner of Loyal Oak area is a bit of an eyesore with pieces and parts of all sorts of things sitting out. There does not seem to be much action in getting things cleaned up. The City needs to look at this, its really an eye

sore. It's embarrassing for friends and relatives coming to visit and having to drive by and see all of this.

Ms. Charlotte Whipkey, a Norton resident, spoke about the proposed Charter amendments Ord #58-2010 Recalls; we may have 8,000 registered voters when we are lucky if only 4,000 actually get out and vote. This issue should stick with the number who actually got out and voted. Ord. #59-2010 Executive Sessions; we all know you have your ways to get around this, and we don't trust you to go behind closed doors and she doesn't care what the Ohio Revised Code says, and that's what you have attorney/client privileges for. Ord #63-2010; the according to the Barberton Herald, the City of Barberton Charter Review Commission is asking to eliminate the At Large Council seats. They only have two (2) and they want to get rid of both of them. At least we would still have one At Large Councilperson.

Mrs. Elaine Tompkins, a Norton resident, commented on budget adjustments and read her comments (see attached).

CONSIDERATION OF THE MINUTES:

Minutes of the Regular Council meeting of June 14, 2010 were approved as submitted.
Minutes of the Special Council Meeting of June 21, 2010 were approved as submitted.
Minutes of the Committee Work Session of June 21, 2010; Mr. Bergstrom noted one correction to page #4 roll call should show the nay vote as Mr. Bergstrom not Mr. Nicolard as indicated, the minutes were approved as corrected.

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS:

Mr. Zita and Mr. Moss had no reports to offer. Mr. Kostoff stated at the request of the Council President, he was asked to summarize Councils process with the reduction of Council in 2012 as it relates to the Charter and submitted his findings, (see attached). Mr. Kostoff stated there are several sections in the Charter that will be impacted by this change and one item in particular that concerns him is #7-reversing a decision by the Planning Commission. Mr. Kostoff explained that it would take all five (5) members of Council to reverse any action by the Planning Commission. Mr. Kostoff stated in plain language the Charter will prevail wherever it speaks to the reference of four (4) of five (5) members as it stands now. Mr. Kostoff stated that when we go to five (5) members in order to have a quorum three (3) members must be present. Mr. Kostoff also noted that if your Council Rules come in conflict with your Charter, then your Charter would prevail. Mrs. Hlas noted that the current Charter requires a vote of four (4) to pass and adopt any legislation, so if you only have 3 members present in a meeting you cannot do anything or take any action on matters, and Mr. Kostoff concurred. Mr. Moss questioned if you had just the three (3) members present at a meeting could you give legislation on the agenda a reading? Mr. Kostoff stated at this time he felt you could, but he would need more time to really look into that further. Mr. Zita thanked Mr. Kostoff for taking the time to summarize this information for Council.

PUBLIC HEARINGS:

None

INTRODUCTION OF NEW LEGISLATION:

ORD #66-2010

Mr. Braman offered Ord. #66-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE REZONING PROPERTY LOCATED AT 3225 AND 3211 CLEVELAND-MASSILLON ROAD FROM B-2 NEIGHBORHOOD BUSINESS DISTRICT TO B-3 HIGHWAY BUSINESS DISTRICT.

First reading only. Public Hearing will occur on 7-12-10 at 7:15 PM.

RES #67-2010

Mr. Braman offered Res. #67-2010 for its first reading and asked the Clerk to read it:

A RESOLUTION APPROVING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD ON OBJECTIONS CONCERNING THE ESTIMATED SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF GREENWICH ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING SANITARY SEWER LINES, INCLUDING MANHOLES, LATERALS AND NECESSARY APPURTENANCES THERETO, COMPRISING THE PROJECT KNOWN AS GREENWICH ROAD SANITARY SEWER PHASE I PROJECT, AND DECLARING AN EMERGENCY.

Mr. Braman moved to waive the second and third readings, seconded by Mr. Bergstrom.

Roll Call: Yeas: Braman, Bergstrom, Nicolard, Hlas, Pelot
Nays: Mowery

Motion passed 5-1.

Mr. Braman moved to adopt Res. #67-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Braman, Bergstrom, Nicolard, Hlas, Pelot
Nays: Mowery

Motion passed 5-1.

ORD #68-2010

Mrs. Hlas offered Ord. #68-2010 for its first reading and asked the Clerk to read it:

THE ORDINANCE TO AMEND THE APPROPRIATIONS FOR THE CURRENT EXPENSES OF THE CITY OF NORTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010 AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom. Mr. Bergstrom asked Mr. Moss for a quick summary of the timing issues relating to this legislation.

Mr. Moss explained the conclusion of this process really occurs after you come back from recess. We need the lead time in order to put the assessment into place and sell the related bonds. This ordinance is just to put the budget into place and it will sit there until that action takes place.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #68-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #69-2010

Mrs. Hlas offered Ord. #69-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET FOR THE CITY OF NORTON FOR THE FISCAL YEAR 2011 AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom. Mr. Bergstrom asked Mr. Moss for his comments. Mr. Moss stated this would be the first time seeing anything relating to the 2011 Budget. Mr. Moss indicated this establishes our expectations in the levy funds. The County Budget Commission will review this and they will determine if the levy revenue is appropriate for the needs of those funds. Mrs. Hlas asked about the time line and Mr. Moss stated it must be filed with the County by July 20, 2010 so Council must adopt this by July 14, 2010. Mr. Bergstrom asked what if we fail to do that, Mr. Moss replied he was not sure, he would not even think of not complying.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #69-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #70-2010

Mrs. Hlas offered Ord. #70-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$900,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY A PORTION OF THE COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A FIRE STATION, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #70-2010, seconded by Mr. Bergstrom. Mr. Moss commented on the relating ordinance #79-2010. Ordinance #79-2010 is to take advantage of the long term rates. The reason for the \$2,600,000.00 amount in Ord. #79-2010 is that this is a sure amount we will spend on the new fire station, we will spend more. However to go out for long term financing you cannot go out for more than the cost of the building itself. These new ordinances will replace six (6) month notes that we did earlier this year.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #71-2010

Mrs. Hlas offered Ord #71-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$190,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY COSTS OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #71-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #72-2010

Mrs. Hlas offered Ord. #72-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$165,000 OF NOTES OF THE CITY OF NORTON IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PAY, IN ANTICIPATION OF THE LEVY AND COLLECTION OF ASSESSMENTS, COSTS OF IMPROVING PARKWAY DRIVE (EAST SIDE ONLY) FROM GARDNER BLVD., TO NORTON AVENUE, HARTZELL DRIVE FROM GARDNER BLVD., TO NORTON AVENUE, LONG DRIVE FROM GARDNER BLVD., TO NORTON AVENUE, AND WILBUR AVENUE FROM GARDNER BLVD., TO TALLWOOD DRIVE BY CONSTRUCTING AND INSTALLING A NEW 8 INCH WATERLINE, WHICH WILL REPLACE 5,100-FEET OF 2-INCH WATERLINE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #72-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #73-2010

Mrs. Hlas offered Ord. #73-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT IN THE CITY, OF CLEVELAND-MASSILLON ROAD, GREENRIDGE ROAD, DURHAM ROAD, DRIFTWOOD ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING WATER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO COMPRISING THE CLEVELAND-MASSILLON ROAD WATER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #73-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #74-2010

Mrs. Hlas offered Ord. #74-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND INSTALLATION IN THE CITY OF WATER LINES, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE BERRY, MCGOWAN AND WADSWORTH ROAD WATERLINES PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #74-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #75-2010

Mrs. Hlas offered Ord. #75-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT IN THE CITY OF HAZELWOOD AVENUE AND CONNECT ROAD BY CONSTRUCTING AND INSTALLING NEW WATER LINES, HYDRANTS AND OTHER APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #75-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #76-2010

Mrs. Hlas offered Ord. #76-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION OF WATER MAINS, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY APPURTENANCES THERETO, COMPRISING THE GARDNER BOULEVARD PHASE II PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #76-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0

ORD #77-2010

Mrs. Hlas offered Ord. #77-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,537,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTON, TO PAY THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, OF THE COSTS OF CONSTRUCTING AND INSTALLING WATER MAINS, WATER LINES, HYDRANTS AND RELATED IMPROVEMENTS AND ALL OTHER NECESSARY

APPURTENANCES THERETO, AUTHORIZING CERTAIN RELATED MATTERS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #77-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #78-2010

Mrs. Hlas offered Ord. #78-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$254,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTON, TO PAY, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS HERETOFORE LEVIED, A PORTION OF THE COSTS OF CONSTRUCTING, GRADING, CURBING AND PAVING MEADOWS LANE IN THE CITY AND CONSTRUCTING SANITARY SEWERS, WATER LINES, HYDRANTS, STORM SEWERS, UTILITIES AND ALL OTHER NECESSARY APPURTENANCES THERETO, AUTHORIZING CERTAIN RELATED MATTERS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #78-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #79-2010

Mrs. Hlas offered Ord. #79-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,600,000 AGGREGATE PRINCIPAL AMOUNT OF BONDS OF THE CITY OF NORTON, TO PAY COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A FIRE STATION, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AUTHORIZING CERTAIN RELATED MATTERS IN CONNECTION THEREWITH, AND DECLARING AN EMERGENCY.

Mrs. Hlas moved to waive the second and third reading, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

Mrs. Hlas moved to adopt Ord. #79-2010, seconded by Mr. Bergstrom.

Roll Call: Yeas: Hlas, Bergstrom, Nicolard, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ADDED TO THE AGENDA

ORD #80-2010

Mr. Bergstrom offered Ord. #80-2010 for its first reading and asked the Clerk to read it:

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF GREENWICH ROAD AND CERTAIN OTHER PARCELS BY CONSTRUCTING AND INSTALLING SANITARY SEWER LINES, TOGETHER WITH NECESSARY APPURTENANCES THERETO, COMPRISING THE GREENWICH ROAD SANITARY SEWER PHASE I PROJECT, AND DECLARING AN EMERGENCY.

Mr. Bergstrom moved to waive the second and third reading, seconded by Mr. Braman.

Roll Call: Yeas: Bergstrom, Braman, Nicolard, Hlas, Mowery, Pelot
Nays: None

Motion passed 6-0.

Mr. Bergstrom moved to adopt Ord. #80-2010, seconded by Mr. Braman.

Roll Call: Yeas: Bergstrom, Braman, Nicolard, Hlas, Mowery, Pelot
Nays: None

Motion passed 6-0.

INTRODUCTION OF PRIOR LEGISLATION:

ORD #57-2010

Mr. Braman offered Ord. #57-2010 for its second reading

AN ORDINANCE TO ADD CHAPTER 1498 TO THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Second reading only. A Public Hearing will occur on July 12, 2010 at 7:15 PM.

ORD #58-2010

Mr. Pelot offered Ord. #58-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE IX, SECTION 9.03 OF THE CHARTER OF THE CITY PROVIDING FOR RECALL ELECTIONS.

Second reading only.

ORD #59-2010

Mr. Pelot offered Ord. #59-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE III SECTION 3.12 OF THE CHARTER OF THE CITY PROVIDING FOR OPEN REGULAR MEETINGS OF COUNCIL IN COMPLIANCE WITH SECTION 121.22 OF THE OHIO REVISED CODE.

Second reading only.

ORD #62-2010

Mrs. Hlas offered Ord. #62-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY TO CONVEY CERTAIN CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO THE COMMUNITY IMPROVEMENT CORPORATION PURSUANT TO AGREEMENT AND DECLARING AN EMERGENCY.

Second reading only.

ORD #63-2010

Mr. Pelot offered Ord. #63-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE SUBMITTING TO THE ELECTORS OF THE CITY OF NORTON A PROPOSAL TO AMEND ARTICLE III, SECTION 3.02 OF THE CHARTER OF THE CITY PROVIDING FOR THE COMPOSITION OF COUNCIL.

Second reading only.

ORD #64-2010

Mr. Braman offered Ord. #64-2010 for its second reading and asked the Clerk to read it:

AN ORDINANCE DECLARING A MORATORIUM ON THE ESTABLISHMENT, OPERATION, PERMITTING OR APPROVAL OF NEW ENTERTAINMENT DEVICE ARCADES WITHIN THE CITY OF NORTON, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #52-2010

Mr. Mowery offered Ord. #52-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE TO ADD CHAPTER 674 TO THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Mowery moved to adopt Ord. #52-2010, seconded by Mr. Nicolard.

Roll Call: Yeas: Mowery, Nicolard, Bergstrom, Hlas, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #53-2010

Mr. Nicolard offered Ord. #53-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE ADDING SECTION 208.06 TO THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO.

Mr. Nicolard moved to adopt Ord. #53-2010, seconded by Mrs. Hlas. Mr. Nicolard stated this is for our local preference ordinance, providing local bidders a two (2) percent advantage and not to exceed \$10,000.00.

Roll Call: Yeas: Nicolard, Hlas, Bergstrom, Mowery, Braman, Pelot
Nays: None

Motion passed 6-0.

ORD #55-2010

Mr. Nicolard offered Ord. #55-2010 for its third reading and asked the Clerk to read it:

AN ORDINANCE AMENDING SECTION 440.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTON, OHIO, AND DECLARING AN EMERGENCY.

Mr. Nicolard moved to adopt Ord. #55-2010, seconded by Mr. Mowery. Mr. Nicolard stated this legislation would bring our codified ordinances in line with the State so we can collect the fines when we have overweight vehicles in our city. Currently we do not collect the fines for overweight vehicles, it all goes to the State.

Roll Call: Yeas: Nicolard, Mowery, Bergstrom, Hlas, Braman, Pelot, Zita
Nays: None

Motion passed 7-0.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Mr. Pelot noted a few memos from Mr. Ryland asking for discussion at the next Work Session on the Newpark Drive grant and ODOT Consent. Mr. Mowery questioned the role of the CIC and if the CIC could give their recommendations of any rezoning of property as to whether or not they feel it's a good or bad idea? Mr. Moss stated that is not within the CIC's authority or powers to do so. Mr. Kostoff agreed, they have no authority, that would fall to the Planning Commission and its spelled out within the Charter.

PUBLIC SERVICE ANNOUNCEMENTS:

Mr. Zita announced several events (see attached). Mr. Pelot reminded everyone that Monday the City is closed for the 4th of July Holiday. The Committee Work Session will be held on Tuesday, July 5, 2010 at 7:00 PM. Mr. Pelot announced there would also be a Special Council Meeting held on Thursday, July 15, 2010 at 6:30 to finish passing legislation to make sure it gets on the ballot before our summer recess.

ADJOURN:

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 7:56 PM.

Mike Zita, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on July 15, 2010.

Karla Richards, CMC-Clerk of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

All Council & Committee Meetings will be held at the Norton Safety Administration Building,
unless otherwise noted.